

MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

**TUESDAY, APRIL 24, 2018
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, April 24, 2018.

Present: Mayor Darryl Croft; Vice-Mayor Lon Turner; Councilmember Mike Best; Councilmember Cloyce Kelly; Councilmember Corey Mendoza; Councilmember Jack Miller

Absent: Councilmember Annie Lane

Staff Town Manager Cecilia Gritman; Town Attorney Andrew McGuire; Economic Development Project

Present: Manager John Coomer; Police Chief Chuck Wynn; Police Lieutenant Vince Schaan; Public Works Director/Town Engineer Frank Marbury; Development Services Director Jason Sanks; Associate Planner Alex Lerma; Community Services Director Scott Bruner; Administrative Technician Kathy Frohock (videographer); Deputy Town Clerk Vickie Nipper

1) CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Croft called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a) Presentation of Outstanding Citizen Awards to Jayden Kennedy and Strad Beazen for going above and beyond normal civic responsibility by assisting the Chino Valley Police Department in apprehending a shoplifting suspect actively attempting to flee from pursuing officers. (Chuck Wynn, Police Chief)

Chief Wynn introduced Officer Jeff Pizzi and Sgt. Mike Pereda as the officers involved in this incident. Officer Pizzi described the incident wherein the two young men pointed out the suspect's whereabouts to the officers. Chief Wynn then presented the Outstanding Citizen Award to the young men.

- b) Presentation of Commendation to Officer Fernando Silva and Officer Justin Angel for performance above and beyond the call of duty by saving the life of a community member on March 2, 2018. (Chuck Wynn, Police Chief)

Chief Wynn described the incident involving a drug overdose and presented the Life-Saving Award to the two officers.

Chief Wynn also recognized Animal Control Officer Angela Olander as the State of Arizona Animal Control Officer of the Year; Officer Sophia Newton for receiving her FAA drone pilot license; and Officer Tiffany Farmer for completing the nine-week canine certification training.

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

Welles Geary, resident, spoke about positive things happening and good leadership in the Town.

Scott Freitag, Fire Chief, Central Arizona Fire & Medical (CAFMA), spoke about receiving an Attorney General opinion that CAFMA was legal under state law.

4) RESPONSE TO THE PUBLIC

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

5) CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

- a)** Status reports by Mayor and Council regarding current events.

Councilmember Best reported on the first meeting for the Town's 50th Anniversary celebration, including topics related to purchasing a statue for the Road 4 North roundabout; time capsule; concert; memorial book; outreach for planning; and the next meeting on May 2.

- b)** Status report by Town Manager Cecilia Grittmann and/or Town staff members regarding Town accomplishments, and current or upcoming projects.

Ms. Grittmann reported on:

- March and April employee anniversaries;
- Councilmember Mendoza's participation in the Boys and Girls Club's Dancing with the Stars fundraiser; and
- The new Honor Tree project for those in the community with family military members currently being deployed.

She also introduced the Town's new attorney, Andrew McGuire, who spoke about having worked for the Town's attorney in the past and looking forward to a second time.

- c)** Recognition of Town Council, commission, board, and committee members, and other Town volunteers. (Mayor Darryl Croft)

Mayor Croft read a letter recognizing Town volunteers and spoke about honoring them at a volunteer appreciation reception on May 10.

- d) Quarterly status report on residential and commercial building permits, code compliance matters, and UDO rewrite. (Jason Sanks, Development Services Director)

Mr. Sanks provided updates on development statistics from fourth quarter 2017 through first quarter 2018, as well as the current UDO rewrite project. Key points were:

- *Permits:* The Town received 51 new single family residential permits in the first quarter, a significant amount for a town this size.
- *Code compliance cases:* Staff was changing focus from addressing tumbleweeds to prop maintenane issues.
- *Zoning:* Staff had received 17 new applications since January compared to 17 total all last year.
- *UDO update:* Staff had shared the restructured ordinance with the UDO Update Subcommittee, which will hold many meetings involving various community stakeholders before the UDO's full rollout.

6) CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Jack Miller to accept consent agenda (a) through (e).

Vote: 6 - 0 PASSED - Unanimously

- a) Consideration and possible action to waive the bidding requirements and approve purchase of a New Holland TS6-110 Tractor with Mower Attachments from Bingham Equipment in an amount not to exceed \$114,319.88, pursuant to a cooperative purchase bid by the State of Arizona Contract ADSP-016 035801. (Frank Marbury, Public Works Director/Town Engineer)
- b) Consideration and possible action to approve an extension with Lexington Law firm for Prosecutorial Services through June 30, 2020 in the amount of \$3,250.00 per month. (Cecilia Grittman, Town Manager)
- c) Consideration and possible action to approve Addendum No. 1 to Contract for Legal Services effective July 1, 2018 between the Town of Chino Valley and Gust Rosenfeld, PLC. (Cecilia Grittman, Town Manager)
- d) Consideration and possible action to accept the March 27, 2018 regular meeting minutes. (Jami Lewis, Town Clerk)
- e) Consideration and possible action to accept the April 4, 2018 study session minutes. (Jami Lewis, Town Clerk)

7) ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

- a) Consideration and possible action to:
- (i) Hold a public hearing regarding the proposed changes to the Town's admission fees for the Chino Valley Aquatic Center.
 - (ii) Approve Resolution No. 18-1115 increasing the Town's admission fees, effective May 24, 2018. (Scott Bruner, Community Services Director)

Recommended Action:

- (i) Hold a public hearing regarding the proposed changes to the Town's admission fees for the Chino Valley Aquatic Center.
- (ii) Approve Resolution No. 18-1115 increasing the Town's admission fees, effective May 24, /2018.

Mr. Bruner reported that:

- Aquatic Center user fees were last reviewed and updated in 2012. Since the pool opened, the general fund had subsidized it about \$150,000 each year.
- From 2016 through 2020, minimum wage will have increased from \$7.65 per hour \$12.00 per hour. These increases will push the general fund subsidy higher each year. In order to keep the subsidy static, staff recommended gradual rate increases over the next three years to coincide with min wage increases and to provide funds for capital repairs and improvements.
- The recommended daily fee increases was \$0.50 this year, with \$0.25 until 2020. Even with these increases, the Town's fees will be \$0.25 less than the nearest municipal pool facility. The projected loss this year with the fee increase was \$133,800.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Cloyce Kelly, to hold the public hearing.

Vote: 6 - 0 PASSED - Unanimously

No one from the public spoke.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Jack Miller, to close the public hearing.

Vote: 6 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Cloyce Kelly to approve Resolution No. 18-1115 increasing the Town's admission fees, effective May 24, 2018.

Vote: 6 - 0 PASSED - Unanimously

- b) Consideration and possible action to approve a Conditional Use Permit (CUP 18-002) for approximately 2.82 acres of real property generally located 274 feet north of the northwest corner of West Road 3 North and State Route 89 at 2062 North State Route 89 to allow the installation and replacement of an electronic sign in the CL (Commercial Light) zoning district. (Owner: St. Catherine Laboure Church) (Jason Sanks, Development Services Director)

Recommended Action: Approve Conditional Use Permit (CUP 18-002) for approximately 2.82 acres of real property located at ~~6062~~2062 North State Route 89 to permit the proposed electronic sign in the CL (Commercial Light) zoning district, subject to the conditions recommended by staff.

Mr. Sanks reported that:

- The church received approval for an electric sign three years ago and it was recently run over and knocked out. The church was now requesting approval for a taller sign in a slightly modified location. As there was no provision for staff to approve a change to a CUP, it needed Council's approval.
- Staff recommended approval with the standard conditions developed over the last year related to electronic signs and ADOT regulations.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Jack Miller to approve Conditional Use Permit (CUP 18-002) for approximately 2.82 acres of real property located at 6062 North State Route 89 to permit the proposed electronic sign in the CL (Commercial Light) zoning district, subject to the conditions recommended by staff.

Vote: 6 - 0 PASSED - Unanimously

- c) Consideration and possible action to approve Ordinance No. 18-844 rezoning approximately 44 acres of real property generally located on the northeast corner of North Road 1 East and East Perkinsville Road at 1204 East Perkinsville Road, from AR-5 (Agricultural Residential-5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential-7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district to modify the SR-0.16 zoning district development standards. (Jason Sanks, Development Service Director)

Recommended Action: Approve Ordinance No. 18-844 rezoning approximately 44 acres of real property generally located on the northeast corner of North Road 1 East and East Perkinsville Road at 1204 East Perkinsville Road, from AR-5 (Agricultural Residential-5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential-7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district subject to the conditions recommended by staff.

Mr. Sanks presented on this item:

- *Proposal and background:* The subject property, located directly north of the Community Center, was acquired by the current owner a few years ago to cultivate medical marijuana, but the business plan did not work out. The owner now proposed a smaller lot single family residential subdivision.
- *Development plan:* The proposed 159 lots would be no smaller than 7,000 square feet, most likely with site-built homes. The PAD overlay proposed modified development standards typical of other smaller subdivisions, such as Bright Star. The plan also depicted centralized open space throughout the project. Justification for the deviations included additional enhancements to the project related to the landscape plan, wall perimeter design, trail, and pocket park.
- *Utilities:* The development would connect to Town water and sewer.

- *Circulation:* Dedications will be required on three abutting roads and internal public roads. The Traffic impact statement anticipated 1,502 daily trips.
- *Conditions:* Staff recommended conditions with regard to conformance to the site plan, wall plan, and landscape plan. The Planning and Zoning Commission added a condition related to a shuttle or bus pull out location.
- *Recommendation:* As this location was a good fit for this type of subdivision, due to its proximity to the community core, Community Center, highway, and Old Home Manor (OHM) Industrial Park, staff recommended approval.

Council and staff further discussed the item:

- *Age and home restrictions:* The development proposed no age restrictions. There were no restrictions per code with regard to manufactured versus site-built homes. Park models would require an amendment.
- *Crosswalk across Perkinsville Road:* This could be addressed during the platting phase and would need to be analyzed from an engineering perspective. Council believed it will be necessary and requested that staff add the following condition: "A safe crossing or pedestrian crossing shall be provided or explored on either mid-block or the intersection as approved by the Town's public works director."
- *Time restrictions:* As a PAD was an overlay on top of the zoning, the overlay, zone change, and conditions should last into perpetuity and run with the land.
- *Roadway dedications:* With the coming development at OHM, Perkinsville Road could eventually need four lanes and 100-foot width, so the Town was asking for a 50-foot half-width dedication.
- *Sidewalks:* A sidewalk will be required on Perkinsville.
- *Bus turnout:* The exact location was not yet identified.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Jack Miller to approve Ordinance No. 18-844 rezoning approximately 44 acres of real property generally located on the northeast corner of North Road 1 East and East Perkinsville Road at 1204 East Perkinsville Road, from AR-5 (Agricultural Residential-5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential-7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district subject to the conditions recommended by staff.

Vote: 6 - 0 PASSED - Unanimously

- d) Consideration and possible action to approve Ordinance No. 18-845 rezoning approximately 2.5 acres of real property located east of the corner of Staley Lane and Durham Drive at 3845 Durham Drive, from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district. (Alex Lerma, Associate Planner)

Recommended Action: Approve Ordinance No. 18-845 rezoning approximately 2.5 acres of real property located at 3845 Durham Drive from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

Councilmember Mendoza recused himself from this item and stepped down from the dais.

Mr. Lerma presented this item:

- *Proposal:* The owner proposed to construct an office/maintenance shop, as well as storage/caretaker residence.

- *Current condition:* The property was currently vacant; its general plan land use designation was commercial/multi-family residential; and it was surrounded by commercial heavy uses. As such, the request was in compliance with Town regulations.
- *Citizen participation:* One property owner attended the March 20th neighborhood meeting; the attendee supported the proposal and only desired to know the timeframe for development.
- *Staff recommendation:* As the proposal would not impact current surrounding uses, staff recommended approval.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Jack Miller to approve Ordinance No. 18-845 rezoning approximately 2.5 acres of real property located at 3845 Durham Drive from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

Vote: 5 - 0 PASSED

Other: Councilmember Corey Mendoza (RECUSE)

Councilmember Mendoza returned to the dais.

8) EXECUTIVE SESSION

Council may vote to recess the Regular Meeting and hold an executive session, which will not be open to the public, for the following purposes.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Cloyce Kelly to go into executive session at 7:03 p.m.

Vote: 6 - 0 PASSED - Unanimously

- a) An executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding the acquisition of a portion of the Prescott water system and pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider the Town's position and instruct the Town Attorney regarding the Town's position regarding a contract with the City of Prescott related to the Town purchasing a portion of its water distribution system that is the subject of negotiations. (Cecilia Grittman, Town Manager)
- b) An executive session pursuant to A.R.S. & 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, or salary of Town Manager, Cecilia Grittman. (Mayor and Council)

9) ACTION ITEMS RESUMED

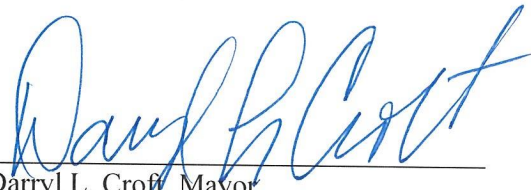
After the Executive Session, Council will reconvene the Regular Meeting.

Mayor Croft reconvened the regular session at 7:58 p.m. and reported that no decisions were made in executive session.

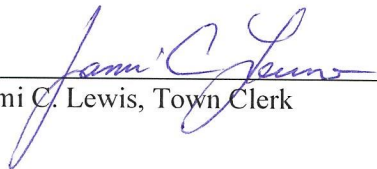
10) ADJOURNMENT

MOVED by Councilmember Jack Miller, seconded by Councilmember Cloyce Kelly to adjourn the meeting at 7:58 p.m.

Vote: 6 - 0 PASSED - Unanimously


Darryl L. Croft, Mayor

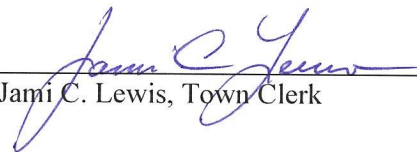
ATTEST:


Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 24th day of April, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 8th day of May, 2018.


Jami C. Lewis, Town Clerk